

**The Town of Dunstable, Massachusetts**

**REQUEST FOR PROPOSAL (RFP)  
for  
MIXED USE DISTRICT DEVELOPMENT**



**SUBMITTALS DUE  
March 17, 2006**

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DUNSTABLE BOARD OF SELECTMEN  
511 MAIN STREET  
DUNSTABLE, MA 01827-1313

**DOCUMENT DATE: 1/5/2006**

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# 1 Project Description

## 1.1 Project Purpose and Summary

The Town of Dunstable, Massachusetts is requesting proposals and statements of qualifications from parties with real estate experience interested in developing affordable housing with other mixed uses on the Town's Mixed Use Development parcel located off Pleasant Street next to and behind the Post Office parcel (the "Subject Property"). The subject site is approximately twenty-nine (29) acres in size located adjacent to Salmon Brook, including associated wetland areas. A legal description is included "Appendix C: Site Description" of this RFP.

The Town is willing to consider division of the Town's Mixed Use Development parcel into two separate parts in order to permit development of the area in stages as two separate projects. This may be considered if it is determined that doing so is found to be in the best interest of the Town. If a proposal based upon a division of the parcel into two portions is to be considered, neither part may have an area of less than ten (10) acres. Therefore, a respondent to this RFP may propose a single project for the entire area, or a project for only a portion of the total area but involving greater than ten acres and less than nineteen acres and including a portion of the wetlands in each.

All development in the Mixed Use District requires a special permit of the Planning Board, provided that the Zoning Board of Appeals would sit for all permitting functions in the event that the project is submitted for a comprehensive permit under the provisions of Chapter 40B of the Massachusetts General Laws. (See Appendix E: Town of Dunstable Zoning Bylaws for Mixed Use District.)

The Town has determined its preferred use of the parcel is to accommodate the development of a mix of affordable housing, senior citizen residential housing and commercial uses, with the emphasis on development of affordable housing. The housing may include a mix of both homeownership and rental units. Affordable housing is defined in "Appendix A: Definitions". All affordable units **must be permanently deed restricted** to ensure that status in perpetuity. While the Town will consider all manner of proposals, it is suggested that a successful proposal ought to be based on a Chapter 40B project in order to ensure that affordable housing elements of the project will qualify for subsidy.

The Town requires that no development of buildings, or roadways, or parking areas occur within the protected buffer along Salmon Brook as delineated on the site map presented in "Appendix C: Site Description". The selected developer will be expected to provide for public access to and along the upland areas adjacent to Salmon Brook for the benefit of the residents and the people of the Town.

The area map in "Appendix C: Site Description" shows the site and immediate community surrounding the Property. A topographic map of the site is included in "Appendix D: Site Maps".

## **1.2 Zoning**

The parcel is designated as a Mixed Use District. (See "Appendix E: Town of Dunstable Zoning Bylaws for Mixed Use District" for the relevant zoning bylaws for a Mixed Use District.) It is required that a Planned Unit Development (PUD) concept be utilized to develop a master plan for the property and receive required project approvals.

## **1.3 Design Objectives**

The Town's primary development objective for the Subject Property is to create an appropriate mix of affordable, senior citizen and commercial development that will help the Town satisfy the unmet needs of residents of the Town for these types of development. The intent of providing commercial space within the development is primarily to satisfy local needs for products and services and is not intended to promote such enterprises primarily as destinations of choice for out-of-town patrons.

It is further an objective of the Town that the architectural rendering of the development be executed in such manner that all buildings, roadways and landscaping be compatible in style and appearance so as to enhance the existing visual and architectural character of the Town and, in particular, the nearby historic Town Center area. Placement of structures within the development should avoid giving the appearance of a "spot zoned" commercial area as viewed from Pleasant Street

Restrictions of any and all types to be applied within the development will be subject to review initially by the Board of Selectmen with the advice of the MUD Proposal Review Committee, and ultimately by the Planning Board during the Special Permit process for development in the MUD District, or the Zoning Board of Appeals in the case of an application pursuant to Chapter 40B.

The Town has deliberately not specified the optimal development mix by exact numbers of units of different types, nor as to ownership of units (i.e., senior housing versus affordable, attached and multiple unit or separate unit construction, or homeownership versus rental; nor ownership type, whether individual or condominium) nor exact overall density for the property. It has also deliberately not specified the time period for completion of the project though it is explicitly the intention of the town that the project shall be executed over a multi-year period. The desire for a multi-year development is to allow the town to control and grow its affordable housing stock inventory in an orderly manner, to moderate overall housing stock growth rates and yet to do so in a period that is sensitive to economic constraints on the developer. An objective of this RFP process is to determine the overall optimal configuration based on developer interest within the flexible limits set forth within this RFP. A general outline of the Town's targeted development limits for the site is presented in the "Appendix B: Design Guidelines". Where specific limitations exist, these appear in that appendix. In addition, having regard to the Town's desire to coordinate the project with its purpose to control in an orderly manner the growth rates for its affordable housing stock, the Town expects that the project will be subject to an Outside Construction Start Date.

In general, the vision for the Subject Property includes development of an aesthetically attractive mix of affordable and senior housing, along with provision of some commercial space which is compatible with the surrounding community. Included should be provision for exterior building and street lighting; accommodation for public access to Salmon Brook and existing trails; preservation of habitat along Salmon Brook; and provision overall for high quality design.

Developers are asked to submit a comprehensive proposal for the site that establishes their preferred mix of the uses and development types, between senior and affordable, rental and home ownership, and single versus multiple unit construction categories and the integration of commercial space. In addition to the development of affordable housing, the Town has identified other objectives. Listed without priority among them, are as follows:

- To develop the site with an optimal mix of affordable housing, senior housing and small businesses serving local needs; and
- To encourage development that incorporates urban design, architecture, and construction of the highest quality, and that is compatible with and enhances the existing architectural character of the Town and in particular the nearby historic Town Center area. and
- To protect wetlands and public water supply, and
- To promote the goals and policies of the Town of Dunstable Planned Production Plan for Affordable Housing. (Download from “Mixed Use Development” page of the Dunstable town website: [http://www.dunstable-ma.gov/govt/mud\\_development.htm](http://www.dunstable-ma.gov/govt/mud_development.htm))
- To maximize benefit to the Town.

## **1.4 Other Property Considerations**

The site plan is expected to accommodate sidewalks within the development and in front of the property along Pleasant Street. It is also to provide for the future implementation of a regional transit access point (bus pullout area) within the housing complex area. While construction of such a point would not be part of the development proposal, it is important that the development plan identify and set aside a site adequate for such future construction. The costs associated with these items are to be borne by the developer.

Because of the limitation on land area per unit of habitation set forth in the MUD Bylaws, each proposal shall specify the total land area designated for the project as well as the area within it to be developed. Further, in keeping with the Bylaw requirements on preserving open space adjacent to the Salmon Brook wetlands, the Town will require the developer to place permanent conservation easements on all portions of the parcel outside the envelope of development as a necessary condition for a contract.

## **1.5 Transfer of Property Administration and Control**

The parcel is owned by the Town of Dunstable. In order to ensure adequate control by the Town of the progress and timeliness of project development, it is intended that the land shall be developed and administered under the terms of a long term lease. It is anticipated that the Town and any successful project applicant will enter into such Lease in connection with the Development Agreement (“contract”) between the Town of Dunstable and the successful applicant and prior to the commencement of project construction, whereby the Town will be Lessor and the successful project applicant will be Lessee. Such Lease will provide for termination by the Lessor upon failure on the part of Lessee to commence construction prior to the Outside Construction Start Date (see Section 1.3, above, fourth paragraph), or upon serious other failure on the part of the Lessee to meet or perform material terms, conditions or

requirements of the contract. Upon completion of the project to the standards, terms and condition of the contract, the land and appurtenances will be transferred to the applicant in fee pursuant to exercise of an option provision for purchase to be included in the Development Lease. The terms and conditions of any such Lease shall be negotiable, but applicants should expect conceptually to be required to execute such a lease. Notwithstanding the foregoing, proposals providing alternative means and mechanisms for holding the property during and following development will be considered, provided they give the Town adequate control of the progress and quality of the project.

The premises shall be leased and subsequently transferred, subject to the reservation of rights by the Town in the nature of easements in ways and infrastructure, conditional on such improvements being in conformance with Town standards and requirements.

## 2 Proposal Submission

### 2.1 The RFP Presentation, Review and Selection Process

The following table describes the major phases of the RFP presentation, review and selection process.

1	Presentation of RFP	<p>The Selectmen will conduct a non-mandatory pre-submittal meeting at the Dunstable Town Hall on:</p> <p style="text-align: center;"><b>Monday, February 6, 2006</b></p> <p style="text-align: center;"><b>7:00 pm</b></p> <p>The meeting will cover the same materials as those included in this RFP. Representatives of interested respondents will be given opportunities to ask questions about various aspects of the process and related issues.</p> <p>Written answers to questions raised at the pre-submittal meeting and questions submitted in writing related to the Subject Property, the Town's objectives for the redevelopment, and the RFP shall be sent to all parties receiving the RFP and may be sent to all other meeting attendees at the sole discretion of the Town.</p>
2	Proposal Development	Respondents prepare development proposals.
3	Proposal Submission	<p>Proposals shall be delivered to the Town of Dunstable by 5:00 pm on <b>March 17, 2006</b></p> <p>Proposals shall conform to the specifications described in Section 2.6: Submittal Requirements</p>
4	Review	<p>The MUD Proposal Review Committee will review proposals submitted.</p> <p>During the review process, the MUD Proposal Review Committee will direct the proposal to boards having review and approval responsibilities in order to obtain their required input and requisite approvals and may seek advice from other Town boards and Town Counsel during consideration of proposals submitted.</p> <p>As necessary, more information may be required</p>

		<p>from respondents. Some candidates may be invited to individual interviews as requested by the Selectmen. Such additional presentations and interviews may be required before selecting a candidate or candidates to enter into negotiations for the Subject Property. If required, interviews may be scheduled during the weeks of April 25-May 13. Interviews will be conducted by the MUD Proposal Review Committee at a public meeting. Respondent's development teams are expected to be available at that time.</p>
5	Project Award	<p>The MUD Proposal Review Committee will recommend a rank ordered set of qualifying proposals to the Selectmen. All final decisions will be made by the Selectmen at a regular or specially scheduled meeting.</p> <p>The Town reserves the right, at its sole discretion, to select none, one, or more finalists to submit and negotiate more fully developed responses.</p> <p>The Town reserves the right to reject any or all proposals or to cancel the Request for Proposals if it is deemed in the Town's best interests to do so.</p> <p>The respondent(s) selected as most qualified will be given exclusive rights to negotiate with the Town. If, at any time, negotiations with any selected party are not proceeding to the satisfaction of the Town, in its sole judgment, then the Town may choose to select another party with which to conduct negotiations.</p>

## 2.2 Selection Criteria

The intent of this Request for Proposal is to gather information upon which to base the selection of a development team(s) for the development of the Mixed Use Development Parcel, whether in whole or only in one part. The submittals will be evaluated to determine the developer(s) ("respondent") most responsive to the Town objectives and the entity most highly qualified to implement the development based on the following criteria which are not listed in any particular order of priority:

### 2.2.1 Qualifications and Experience of the Firm and/or Principals and Consultants

- Staffing with strong team experience, including a history of previous working relationships among the principal respondent and consultants.



- Demonstrated ability of the respondent to lead the development effort from predevelopment to full occupancy, and specifically with regard to maintaining compliance with all applicable regulatory constraints.
- Demonstrated ability of the Project team to remain unchanged in its principals and their roles throughout the duration of projects. [Note especially in this regard, Appendix B, Nos. 19 and 20.]
- Level and quality of previous developments.
- Financial capacity to complete development in a timely manner, to be evaluated with regard to applicant's prior experience history in real estate development and written assurances and commitments from prospective lenders.
- Staff capacity and ability to ensure that the project is designed, developed and marketed on time and within budget.
- Experience with complex transactions containing integrated planning and approaches to implementation of proposals, cost estimating, and project administration.
- Ability to be accountable on any matter affecting the Town's interest throughout development of the entire project.
- Knowledge and experience working with public projects, neighborhood and community groups, and government agencies.
- At least five (5) years experience developing housing.

### **2.2.2 Demonstrated Responsiveness to Town Objectives and Development Considerations**

- Compatibility of developer's project vision and concept with Town's objectives, and responsiveness of development concept to the Town's objectives, with special emphasis on affordable housing and Planned Production development objectives.
- Quality and breadth of conceptual development proposals.
- Timeliness of proposed development schedule.
- Ability to adjust the development concept to address evolving design, conceptual alternatives, plans, specifications, and financial conditions.

### **2.2.3 Demonstration of Ability to Implement Project Concept**

- Evidence of the readiness of the development team to begin substantive work upon award of contract, including preparation of drawings and plans and applications for funding within thirty (30) days of selection and readiness to execute the Development Lease within thirty (30) days following acquisition of the Required Permits.
- Evidence of availability of financial resources needed to begin pre-development and permit process work upon award of contract.

- Evidence of key staff members' abilities to undertake a project of the magnitude of the one proposed, including engineers, architects, managers and general contractors.
- Evidence of feasibility of proposed project, including detailed analysis of budget issues, environmental and permitting issues and financing issues.

#### **2.2.4 Provide a clear financial benefit to the Town**

- Extent to which the development proposal includes provisions to compensate the Town financially for the transfer of the property to the developer(s).

### **2.3 Board of Selectmen Approval**

All selections and potential transactions are subject to approval by the Board of Selectmen.

### **2.4 Projected Schedule of Key Activities**

Public Notice published and RFP distributed	<b>Tuesday, Jan 3, 2006</b>
Pre-submittal meeting	<b>Monday, Feb 6, 2006</b>
Submittals due	<b>Friday, Mar 17, 2006</b>
Preliminary evaluation and request for further information. The committee may request interviews or additional information during this time, if needed, with presentations	<b>Mar 20 - Jun 1, 2006</b>
Selection of party(ies) for negotiation	<b>Monday, Jun 19, 2006</b>
Start of negotiations	<b>Tuesday, Jun 20, 2006</b>

### **2.5 Public Disclosure**

All responses and accompanying documentation, except proprietary financial information, will become the property of the Town. Respondents should be aware that the Town is required by law to make its records available for public inspection, with certain exceptions (See G. L. c. 66, §10). Respondents should mark all materials they deem confidential or proprietary as such. However, the Town will bear no liability to any respondent in the event the Town is legally required to disclose information that a respondent may define as confidential or proprietary.

### **2.6 Submittal Requirements**

In response to this RFP, each respondent must submit, at a minimum, the following information:

#### **2.6.1 Description of Development Team**

- Description of primary respondent and related principals; and
- Description of team members, including architect, engineer, consultants and

general contractor; and

- Description of development experience and of current projects (including experiences related to the design, construction, leasing and management of multi-family real estate projects). Please include client contact names and phone numbers; and
- Statement of financial capacity, including prior three (3) years' annual and current financial statements; and
- Description of similar experiences in developing projects through public/private processes; and
- List of references.

## **2.6.2 Description of Development Concept**

(Please be as specific and concise as possible.)

- Project vision; and
- Narrative description of the development concept; and
- Conceptual site plan showing perimeter of parcel for project, lot lines, building footprints, parking, roads, sidewalks, pathways, and other improvements including utilities, easements; and
- Conceptual building plans and elevations; and
- Conceptual landscape plan; and
- Statement of expected temporary storm water, snow melt, and erosion control methods to be employed and maintained during construction and until entire site has become stabilized; and
- Statement of expected permanent storm water, snow melt, and erosion control methods to be employed and maintained, and
- Required zoning calculations for Floor Area Ratio, Landscape Surface Ratio and Lot Coverage; and
- Parking calculations; and
- Type and mix of units: commercial and residential; rental and homeownership (condominium and/or individual ownership), size and number of bedrooms; and
- Expected household incomes projected to be served by affordable housing units; and
- Preliminary project pro forma, including expected unit/lot sale prices and rental rates; and
- Expected construction type; and
- Preliminary development budget; and
- Development timeline from negotiation of transaction to completion of development, including any construction phasing proposed; and

- Description of how project will be taken through a public review process; and
- Incorporation of the Town objectives in development concept; and
- Statement of commitment that a specified portion of the project shall be built to meet affordable housing criteria applicable to Dunstable.

### **2.6.3 Financial Terms**

- Proposal should include economic benefits to the Town and payment schedule, as applicable.

### **2.6.4 Proposal Format**

- Submittals should be in the form of 8 1/2" x 11" for text portions.
- Any graphics that are larger than 8 1/2" x 11" should be folded to 8 1/2" x 11" size.

### **2.6.5 Submission Fee**

- A fee of \$1,000 is required at the time of submission.
- Please make checks payable to: **Town of Dunstable**
- A portion of the submittal fee may be returned if the applicant's proposal is found to be clearly deficient in meeting requirements such that the application must be rejected and the applicant disqualified. This amount will be determined by the Town of Dunstable.

### **2.6.6 Submission Date and Location**

Submit one **unbound** original and 12 bound copies of proposals to:

511 Main Street ,  
Dunstable, MA 01827

PLEASE MARK OUTSIDE OF PACKAGE "Mixed Use Development Proposal"

**Proposals must be received prior to 5:00 p.m. local time on Friday, March 17, 2006. Any submittals arriving after 5:00 p.m. will not be accepted.**

## **2.7 Questions**

Please direct all questions regarding this RFP to:

Dunstable Board of Selectmen

511 Main Street ,  
Dunstable, MA 01827

Email: [Selectmen@dunstable-ma.gov](mailto:Selectmen@dunstable-ma.gov)

Phone: (978)649-4514 Ext. 224

## **2.8 Miscellaneous Process Considerations**

- Responses must include sufficient supporting material for Board of Selectmen and staff evaluations. The Town reserves the right to disqualify any response due to insufficient supporting or explanatory information or to request additional supporting information.
- References may be checked for all parties identified under qualifications and experience of the respondents.
- Respondents may submit more than one response to this RFP. However, each response must be a separate, complete package that can be considered independently of any other response from the same respondent.
- The Town may amend or revise the RFP as a result of questions submitted by respondents or for any other reason that causes the Town to believe it would be in the best interests of the Town to do so. Such amendments or revisions will be sent to all persons or firms who have been provided copies of the RFP.
- The Town assumes no responsibility for delays caused by the U.S. Postal Service or any other delivery service. Late responses will not be accepted nor will additional time be granted to individual respondents unless the Town extends the required submittal date for all respondents.
- The Town will not be liable for any costs incurred by any respondents in the preparation and presentation of responses to this RFP or in the participation in tours, interviews, negotiations or any other aspect of this RFP process.
- Respondents are responsible for errors and omissions in their responses, and any such errors and omissions will not serve to diminish their obligations to the Town.
- All firms or individuals doing business with the Town of Dunstable shall have, valid and current, all required Commonwealth of Massachusetts licenses.
- The Town may, throughout this process, consult with representatives from the Northern Middlesex Council of Governments (NMCOG) Housing Authority on matters including but not limited to deed restrictions, occupant eligibility and site development.
- This RFP and the responses, including all promises, warranties, commitments and representations made in the successful response shall be binding and shall become contractual obligations to be incorporated by reference in the Town's contract with the respondent.
- The Town reserves the right to disqualify respondents if the submittals are not based on reasonable market assumptions.
- The Town reserves the right to reject any or all responses at any time with no penalty and to waive immaterial defects and minor irregularities in responses.
- The selection of a development team does not presume final approval of proposed plans. Submissions will be subject to the standard Town of Dunstable development review process and all required approvals.

The size of the subject site is currently estimated at approximately twenty-nine (29) acres, including wetland areas. However, the information is provided for convenience only, and the Town makes no binding representations in regard to parcel area.

## APPENDICES

### Appendix A: Definitions

This section defines terms that have specific meaning in the context of this document.

**affordable housing**

low or moderate income housing as defined by Massachusetts General Law Chapter 40B, Section 20. All proposed affordable housing units, whether for sale or rental, are required to be appropriately restricted of record to ensure their permanent availability as affordable housing units for qualified households.

**Best Available Technology:**

The US/EPA definition shall be applicable.

**Lowest Practical Concentrations:**

The lower limit of chemical concentration that can reasonably be expected to be reliably attained if Best Available Technology has been employed and is continuously maintained and operated at optimal levels.

**MUD – Mixed Use District**

**PUD – Planned Use Development**

**senior citizen, “senior”**

any person age 55 or older

### Appendix B: Design Guidelines

#### Conservation Restrictions

1. No build zone: No structures shall be allowed within the area along Salmon Brook bounded by conservation restriction.
2. There shall be no significant disturbance or alteration of the area along Salmon Brook except locally at its upland edge, and then only to the minimum extent necessary in order to construct the project.

#### Overall Size and Mix

3. Overall Size and Mix limitations:
  - (a) Bedroom limitation: It is desired that units within the development be limited to no more than two bedrooms per unit.
  - (b) Affordable/market value mix:

25% of all rental units must be affordable;  
It is encouraged that up to 75% of all “for sale” units be affordable; proposals that provide relatively high proportions of affordable units in lieu of the payment of higher monetary consideration for the property will be given favorable review on that account.

4. Single and Multi-Unit Buildings:

- (a) There may be a mix of single and multiple unit construction.
- (b) Commercial development shall be limited to contain no more than an aggregated total of 5000 square feet. Residential units may be located above commercial areas.
- (c) The options of rental property, condominium associations and co-op or individual ownership may be considered in any mix.

**Disposition of Existing House**

- 5. Existing Structure on Pleasant Street: The building currently at 160 Pleasant Street has been renovated for use as office space. Determination of the best disposition of the building and the surrounding part of the overall parcel is left to the respondents to determine as part of their overall proposal for the property.
- 6. If it is determined that the existing building or a replacement structure will be utilized as a part of the total area of business or commercial space, the structure shall maintain the external appearance of a residential structure, at least with regard to setback, appearance of the façade and landscaping of the front and side yards. Provision for parking for business or commercial purposes shall be located behind the building, thereby maintaining the residential landscape appearance as viewed from the street.
- 7. No other buildings with commercial space shall be constructed closer than 200 feet from Pleasant Street and no additional structure other than a single family residential unit shall be constructed closer than 100 feet from Pleasant Street.

**Commercial Space**

- 8. Construction of commercial space within 200 feet of Pleasant Street shall be limited to modification or replacement of the existing structure fronting on Pleasant Street only.
- 9. Commercial development, other than what may occupy the existing or replacement structure on Pleasant Street, shall be orientated with their fronts either facing toward the access road for the project or away from Pleasant Street. Applicants are advised to avoid designs in which commercial spaces are laid out in such a way as to be orientated toward Pleasant Street. Rather they should have entrances, signage and display windows directed parallel to or away from Pleasant Street as dictated by orientation of the structure within which they are located.

**Aesthetics**

- 10. Energy Efficiency: It is intended that best practical measures will be taken during design and construction to assure that energy efficiencies for all improvements shall be to the highest standards.

11. Architecture:

The project should be visually and aesthetically pleasing in regard to

- (a) the layout and arrangement of improvements within the project including, but not limited to: buildings, roadways, parking areas, sidewalks, landscaping, retaining walls, service areas, exterior and street lighting
- (b) the architectural details of facades, roof and building lines, materials, colors and

textures of single unit, multiple unit and commercial unit structures.

12. Landscaping should use trees, shrubs and other types of vegetation that are native to the region.
13. The project should be a visually and aesthetically compatible compliment to the character of the nearby Town Center District.
14. Housing and commercial units shall satisfy Americans with Disability access requirements.

## **Utilities**

15. Utilities shall be placed underground throughout the development.
16. The water supply shall be by connection to the municipal water distribution main located under Pleasant Street. Only 12 inch mains shall be installed within the development area. At least two fire hydrants at appropriate locations shall be provided.
17. At the end of the water supply line farthest from Pleasant Street, a twelve (12) inch stub of line with shut off valve shall be installed. The location shall be at a point to permit extension of the system beyond the development through easements connecting to Parkhurst Street. To the extent that easements are needed through the project property, these shall be established so as to connect most directly to Town land upon which the extension of the main may efficiently be executed. The easement on Project property shall be granted in perpetuity and recorded in the Registry of Deeds to the benefit of the Water Board and the Town of Dunstable.
18. Wastewater treatment shall be accomplished by employing Best Available Technology in order to produce effluent attaining the Lowest Practical Concentrations of residual contaminants, explicitly including removal of nitrogen compounds whose concentrations shall be expressed as nitrate, prior to disposal to the sub-surface environment.

It is important to understand that the ultimate build-out size of the proposed development will determine the estimated design wastewater flows according to Mass. DEP regulations, CMR 310 15, The State Environmental Code Title V. At aggregate flows below 10,000 gallons per day, jurisdiction for design approval remains with the local Board of Health. At flows between 10,000 and 15,000 gallons per day, design approval is solely the responsibility of the DEP. For the latter case, the time for attaining final approval for a design is normally considerably longer than for the former. Information regarding larger systems can be obtained at:

<http://www.mass.gov/dep/brp/gw/gwregs.htm>.

## **Developer Role**

19. The principal development team members of the organization contracting to undertake the project shall be required to remain as active, responsible participants throughout the duration of the project; including the design, construction and marketing phases. Only upon receiving detailed explanation of extraordinary, unforeseeable circumstances shall the Town through the Selectmen during a scheduled meeting consider permitting a substitution for team members originally specified during the negotiation process.
20. Developer must provide a plan for ongoing maintenance and management of property.



21. The developer shall provide in the proposal for an employee in the nature of a “clerk of the works” who shall be selected and approved by the Board of Selectmen and who shall be a liaison between the project and the Town. The compensation and expenses of such employee shall be borne by the developer. Such person shall have the responsibility to become familiar with the project and shall visit the project and inspect the work to a degree sufficient to ensure that it is proceeding in accordance with the contract documents and on schedule. On the basis of such inspections and communications with the project contractor, such person shall keep the Town informed of the progress and quality of the work. The contractor shall have a duty to communicate with and cooperate with such person to the ends described in this paragraph. Such person shall not, however, have control over or charge of and shall not be responsible for construction means, methods, techniques, sequences or procedures, or for safety precautions and programs in connection with the work.

## **Appendix C: Site Description**

The land with the buildings thereon shown as Lot 1, Lot 2 and Parcel A on a plan entitled “Plan of Land, Location: Pleasant Street, Dunstable, MA, Prepared For Jeffrey Realty Trust, dated 02/01/99, Howe Surveying Associates, Inc., 73 Princeton Street, No. Chelmsford, MA recorded with Middlesex North District Registry of Deeds on March 3, 1999 as Instrument Number 16334, together with an easement to pass and re-pass, and for at purposes for which public ways are ordinarily used in the Town of Dunstable, over the area within Lot 3 denominated as “Access Easement” as shown on said Plan.

Excepting Parcel B on the Plan containing 3,781.0 square feet or 09 acres of land.

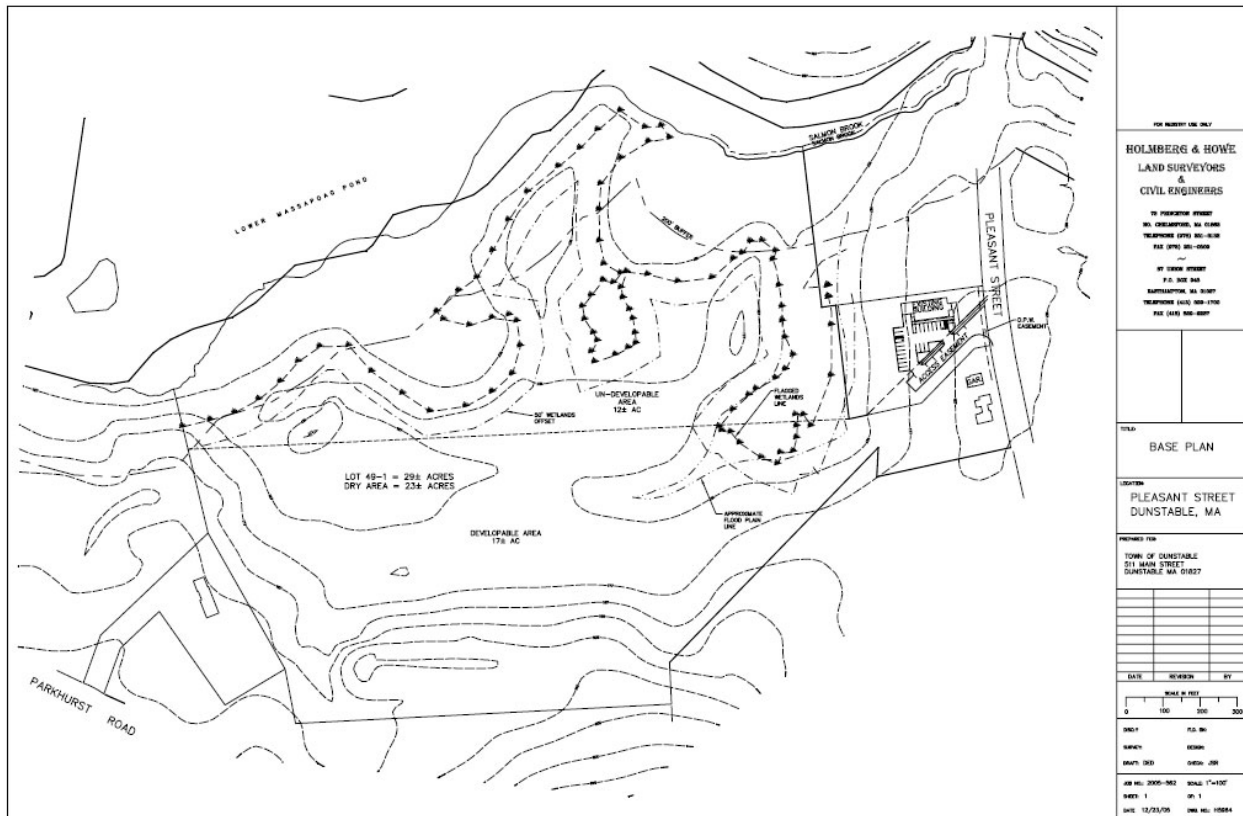
## Appendix D: Site Maps

The following maps can also be downloaded in PDF format from the Mixed Use District Information page of the Dunstable town website:

[http://www.dunstable-ma.gov/govt/mud\\_development.htm](http://www.dunstable-ma.gov/govt/mud_development.htm)

### Base Plan

<http://www.dunstable-ma.gov/pdf/Dunstable-MUD-base-plan.pdf>



**METES AND BOUNDS DESCRIPTION**  
**MUD DISTRICT**  
**BASE PLAN - LOT 49-1**  
**160 PLEASANT STREET, DUNSTABLE MA**

A certain parcel of land as shown as Lot 49-1 on the Plan entitled "Plan of Land" prepared for The Town of Dunstable by Holmberg & Howe, Inc. dated December 23, 2005 at a scale of 1"=100', located in the Town of Dunstable, Middlesex County, Massachusetts, being more particularly described as follows:

Beginning at a stone on the lot line between the lands now or formerly of Lassiter and Lot 3 as shown on the above-mentioned plan,

- Thence N 7°-49'-50" E, 47/100 (0.47') feet to a point on the southerly side of Pleasant Street;
- Thence along Pleasant Street for the next three (3) courses, on a curve to the left having a radius of one thousand six hundred sixty and 08/100 (1660.08') feet and an arc length of one hundred twenty nine and 98/100 (129.98') feet to the westerly point of Lot 49-1 and the point of beginning;
- Thence continuing along said arc with a radius of one thousand six hundred sixty and 08/100 (1660.08') feet and an arc length of seventy three and 94/100 (73.94') feet to a point;
- Thence S 86°-27'-00" E, one hundred fifty one and 06/100 (151.06') feet to a point at the land now or formerly of Bacon;
- Thence along said land of Bacon, S 3°-04'-05" W, two hundred ninety six and 33/100 (296.33') feet to a point at the land now or formerly of Hampton;
- Thence along the land now or formerly of Hampton for the next three (3) courses, N 71°-40'-27" W, sixty three and 43/100 (63.43') feet to a point;
- Thence S 30°-24'-03" E, six hundred forty seven and 63/100 (647.63') feet to a point;
- Thence S 77°-17'-32" E, ninety and 00/100 (90.00') feet to a point at the land now or formerly of Goldthwaite;
- Thence along the land now or formerly of Goldthwaite S 12°-27'09" W, eight hundred fourteen and 14/100 (814.14') feet to a point;
- Thence along the land now or formerly of Goldthwaite and the land now or formerly of Daigle N 85°-27'-59" W, one hundred twenty and 00/100 (120.00') feet to a point with a field stone bound at the land now or formerly of Tenore;
- Thence along the land now or formerly of Tenore S 75°-50'-45" W, three hundred thirty seven and 44/100 (337.44') feet to a point with a field stone bound at the land now or formerly of Craven;
- Thence along the land now or formerly of Craven N 88°-04'-27" W, three hundred twenty (320'±) feet more or less to a point on the shore of the Lower Massapoag Pond;
- Thence northwesterly by the shore of the Lower Massapoag Pond two thousand seventy one (2071'±) feet more or less to a point;
- Thence northerly twenty six (26'±) feet more or less to a point in the center of Salmon Brook;
- Thence along the center line of Salmon Brook two hundred (200'±) feet more or less to a point at the land now or formerly of the Town of Dunstable;



**METES AND BOUNDS DESCRIPTION  
MUD DISTRICT  
DEVELOPABLE PORTION OF LOT 49-1  
160 PLEASANT STREET, DUNSTABLE MA**

A certain parcel of land as shown as Lot 49-1 on the Plan entitled "Plan of Land" prepared for The Town of Dunstable by Holmberg & Howe, Inc. dated December 23, 2005 at a scale of 1"=100', located in the Town of Dunstable, Middlesex County, Massachusetts, being more particularly described as follows:

Beginning at a stone on the lot line between the lands now or formerly of Lassiter and Lot 3 as shown on the above-mentioned plan,

- Thence N 7°-49'-50" E, 47/100 (0.47') feet to a point on the southerly side of Pleasant Street;
- Thence along Pleasant Street for the next three (3) courses, on a curve to the left having a radius of one thousand six hundred sixty and 08/100 (1660.08') feet and an arc length of one hundred twenty nine and 98/100 (129.98') feet to the westerly point of Lot 49-1 and the point of beginning;
- Thence continuing along said arc with a radius of one thousand six hundred sixty and 08/100 (1660.08') feet and an arc length of seventy three and 94/100 (73.94') feet to a point;
- Thence S 86°-27'-00" E, one hundred fifty one and 06/100 (151.06') feet to a point at the land now or formerly of Bacon;
- Thence along said land of Bacon, S 3°-04'-05" W, two hundred ninety six and 33/100 (296.33') feet to a point at the land now or formerly of Hampton;
- Thence along the land now or formerly of Hampton for the next three (3) courses, N 71°-40'-27" W, sixty three and 43/100 (63.43') feet to a point;
- Thence S 30°-24'-03" E, six hundred forty seven and 63/100 (647.63') feet to a point;
- Thence S 77°-17'-32" E, ninety and 00/100 (90.00') feet to a point at the land now or formerly of Goldthwaite;
- Thence along the land now or formerly of Goldthwaite S 12°-27'09" W, eight hundred fourteen and 14/100 (814.14') feet to a point;
- Thence along the land now or formerly of Goldthwaite and the land now or formerly of Daigle N 85°-27'-59" W, one hundred twenty and 00/100 (120.00') feet to a point with a field stone bound at the land now or formerly of Tenore;
- Thence along the land now or formerly of Tenore S 75°-50'-45" W, three hundred thirty seven and 44/100 (337.44') feet to a point with a field stone bound at the land now or formerly of Craven;
- Thence along the land now or formerly of Craven N 88°-04'-27" W, one hundred eighty five and 94/100 (185.94') feet to a point;
- Thence onto the land now or formerly Lot 1 N 12°-46'-37" E, one thousand four hundred thirty and 91/100 (1430.91') feet to a point at the land now or formerly Lot 3;
- Thence along said Lot 3 for the next three courses, N 3°-04'-13" E, one hundred sixty and 21/100 (160.21') feet to a point;
- Thence N 30°-24'-10" W, one hundred sixty Five and 00/100 (165.00') feet to a point;
- Thence N 4°-43'50" E, thirty four and 03/100 (34.03') feet to the point of beginning

Said lot contains seventeen (17±) acres more or less

## **Appendix E: Town of Dunstable Zoning Bylaws for Mixed Use District**

From Town of Dunstable Bylaws:

<http://www.dunstable-ma.gov/docs/Zoning-Bylaws-Complete-November-2005.pdf>

### **Section 23. Mixed Use District.**

#### **A. Purposes:**

The purposes of the Mixed Use District (MUD) are to:

1. allow for greater variety and flexibility in development forms;
2. encourage the development of affordable housing, rental and ownership;
3. reduce traffic congestion and air pollution by providing opportunities for housing and employment in close proximity;
4. encourage more compact and efficient developments.

#### **B. General Description:**

A "Planned Unit Development for Mixed Uses" shall mean development containing a mixture of residential uses and building types, including single family and multifamily dwellings, and other uses, as listed under the category "Uses Allowed within a Planned Unit Development for Mixed Uses". A Planned Unit Development for Mixed Uses may be allowed by Special Permit of the Planning Board. The Special Permit may allow the development to exceed the normal density requirements for the district to the extent authorized by this Bylaw provided that standards for the provision of affordable housing and other standards specified herein are met.

#### **C. Uses Allowed within a Planned Unit Development for Mixed Uses:**

Planned Unit Developments for Mixed Uses shall be permitted in the Mixed Use District only upon issuance of a Special Permit and Site Plan Approval from the Planning Board.

In a Planned Unit Development for Mixed Uses, the following uses may be allowed:

5. Two-family dwellings;
6. Townhouses, i.e., multiple single family dwellings connected by one or more walls, provided they meet the requirements of affordable housing, which shall be defined as housing meeting the requirements of Section 6.7.5.(O) of this Bylaw;
7. Multifamily dwellings;
8. Business uses which are permitted in the B-1 district;
9. Senior Center;
10. Affordable housing for the elderly (over 55 years).

#### **D. Density and Dimensional Regulations:**

The following density and dimensional requirements shall apply to any project in the MUD, subject to adjusted requirements as stated for projects including affordable housing as defined hereinabove:

1. The minimum area allocation for each dwelling unit shall be five thousand (5,000) square feet;
2. The minimum total land area for a Planned Unit Development shall be (10) acres subject to a reduction of up to twenty (20%) percent in the discretion of the Planning Board for projects including affordable housing;
3. There shall be no frontage requirements within a Planned Unit Development, provided that the applicant demonstrates to the Planning Board satisfactory legal access to the premises;
4. Minimum setback, rear and side yard requirements specified in the Table of Dimensional Requirements (Section 11 of this Bylaw) shall pertain only to the periphery of the Planned Unit Development;
5. Dwellings shall make up a minimum of seventy-five percent (75%) of the floor area of development in a Planned Unit Development; the balance of the area shall be business use;
6. Individual commercial areas shall not exceed one thousand five hundred (1,500) square feet each.

E. Utility, Parking, Landscaping and Open Space Requirements:

1. Planned Unit Developments for Mixed Uses must meet the utility, parking, landscaping and open space requirements in Section 6.6 of The Dunstable Zoning Bylaw.
2. A natural protective buffer shall be provided around any water body. Said buffer shall conform to the development and not exceed 200 (two hundred) feet, provided that, in special circumstances, the Dunstable Planning Board may allow a lesser buffer at certain locations upon a demonstration by the applicant providing clear evidence that with appropriate safeguards the water body can be adequately protected. The Planning Board may impose limitations on any development within such buffer, and strict limitation shall be imposed within the 100 (one hundred) feet of the buffer nearest to the water body.